

FORMAL LETTER



OC00000005006722

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/493,480	01/28/2000	Martin A. Cheever	0140580-009810

TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111

Date Mailed: 03/24/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

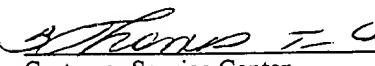
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2102.
 - \$1764 for 98 total claims over 20.
 - \$78 for 1 independent claims over 3 .
 - \$260 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2922.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/05/2000 GTEFFERA 00000023 201430 09493480

01 FC:101	690.00 CH
02 FC:103	936.00 CH
03 FC:102	78.00 CH
04 FC:105	130.00 CH



01/28/00

1-31-00

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Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
 Two Embarcadero Center, 8th Floor
 San Francisco, California 94111-3834
 (415) 576-0200

ASSISTANT COMMISSIONER FOR PATENTS
 BOX PATENT APPLICATION
 Washington, D.C. 20231

Attorney Docket No. 0140580-009810

"Express Mail" Label No. EL394876928US
 Date of Deposit: January 28, 2000

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to:

Assistant Commissioner for Patents
 Washington, D.C. 20231

By:

John Fonteyn

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is the

- patent application of
- continuation patent application of
- divisional patent application of
- continuation-in-part patent application of

Inventor(s)/Applicant Identifier: Martin A. Cheever and Dirk Gheysen

For: HER-2/NEU FUSION PROTEINS

X] This application claims priority from each of the following Application Nos./filing dates:

60/117,976, filed 01/29/99

the disclosure(s) of which is (are) incorporated by reference.

Please amend this application by adding the following before the first sentence: "This application is a [] continuation [] continuation-in-part of and claims the benefit of U.S. Provisional Application No. 60/_____, filed _____, the disclosure of which is incorporated by reference."

Enclosed are:

- X] Title Page
- X] 80 sheet(s) of specification
- X] 11 sheet(s) of claims
- X] 32 sheet(s) of [] formal informal drawing(s).
- An assignment of the invention to _____
- A [] signed [] unsigned Declaration & Power of Attorney
- X] A [] signed unsigned Declaration.
- X] Abstract

In view of the Unsigned Declaration as filed with this application and pursuant to 37 CFR §1.53(f),
 Applicant requests deferral of the filing fee until submission of the Missing Parts of Application.

DO NOT CHARGE THE FILING FEE AT THIS TIME.

Annette S. Parent
 Reg No.: 42,058
 Attorneys for Applicant

Telephone:
 (415) 576-0200

Facsimile:
 (415) 576-0300

JC584 U.S. PTO
 09/493480

 01/28/00

sector

PATENT

Attorney Docket No. 014058-009810

I hereby certify that this correspondence is being
deposited with the United States Postal Service as
first class mail in an envelope addressed to:
Assistant Commissioner for Patents,
Attn: Box Missing Parts,
Washington, D.C. 20231, on May 30, 2000

TOWNSEND and TOWNSEND and CREW LLP

By Jennifer K. Hardin
Jennifer K. Hardin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheever and Gheysen

Application No.: 09/493,480

Filed: January 28, 2000

For: HER-2/NEU FUSION PROTEINS

Examiner: Unassigned

Art Unit: 1646

TRANSMITTAL LETTER - RESPONSE
TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated March 24, 2000, enclosed are the following to be made of record in the above-identified application:

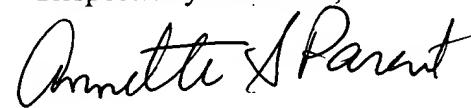
- 1) Executed Declaration
- 2) Copy of Notice of Missing Parts
- 3) Petition to Extend Time

Please charge Deposit Account No. 20-1430 for the following fees:

(a) Filing Fee (§ 127) (Large Entity)	\$ 690.00
(b) Excess Claims Fees (§ 1.16(b), (c)):	
92 - 20 = 52 x 18 =	\$936.00
4 - 3 = 1 x 78 =	\$ 78.00
(c) Missing Parts Surcharge	\$ 130.00
TOTAL FEES TO BE CHARGED	\$1834.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Annette S. Parent
Reg. No. 42,058

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